



**MEMO ENDORSED**

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June 16, 2020

VIA ECF

Hon. Valerie E. Caproni  
Thurgood Marshall  
United States Courthouse  
40 Foley Square, Room 2201  
New York, NY 10007

Re: A.A., et al. v. N.Y.C. Dep't of Educ., 20-cv-2274 (VEC) (OTW)

Dear Judge Caproni,

I am an Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant in the above-referenced action wherein Plaintiffs seek, among other relief, attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq., as well as for this action.

I write to respectfully request a 60-day extension of Defendant's time to respond to the Complaint, from July 22, 2020 to September 22, 2020, and a corresponding adjournment of the conference scheduled for September 4, 2020 to November 4, 2020. Plaintiffs have consented to this request. This is Defendant's second request for an extension of time. The initial date for Defendant's response was April 22, 2020. This Court granted Defendant's first request for a 90-day extension of time to respond to the Complaint (ECF No. 9), given the COVID-19 pandemic and its impact on operations of the New York City Department of Education ("DOE").

Additionally, the City has experienced the sudden and mandated termination of the employment of five attorneys who handled all fees litigation under the Individuals with Disabilities Education Act, 20 U.S.C. §1400. This development arose as part of the fiscal impact

the COVID-19 pandemic is having on the City. As incoming counsel it has taken additional time to familiarize myself with the record and the matter. However, I am actively engaging with DOE to resolve the claims as quickly as possible.

The requested extension should, barring further extraordinary circumstances, provide the parties with additional time to attempt to resolve this matter entirely. Therefore, Defendant respectfully requests that its time to respond to the Complaint be extended to September 22, 2020.

Thank you for considering this request.

Respectfully Submitted,

/s/

Bianca C. Isaias  
*Attorney for Defendant*

cc: Adam Dayan (via ECF) *Attorney for Plaintiffs*

Application GRANTED. Defendants' time to respond is extended 60 days. The IPTC is adjourned to **November 6, 2020, at 10:00 a.m.** and all associated deadlines are adjourned accordingly.

Further adjournments are unlikely.

SO ORDERED.

  
7/17/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE